



# citizens' bulletin

Volume 4

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## DEP Reports On Endangered Species [p.3]

Cooper's Hawk



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# From the Editor's Desk



Dear Friends,

Beginning with this month's issue, the Bulletin has three new features. DEP's monthly publication now has an editor's column, an insert supplement announcing upcoming public hearings...and a new editor.

As editor, I came aboard from the Department's Planning and Coordination Unit where I served for the past year. Our previous editor, Douglas Starr left us in September; he is currently enrolled at Boston University where he is doing graduate work in the field of Science Communications.

In the two-month interim since Mr. Starr's departure the Bulletin has been the responsibility of Information and Education Director Greg Sharp. Greg is an old newspaper man at heart, having previously edited DEP's monthly publication back in 1973.

In the months to come you will see what we hope will be many interesting additions to the Bulletin. Our first subscription renewal drive now in progress is providing us with good feedback from our readership as to those things we are doing well...and not so well. Such criticism, both positive and negative will serve to help shape the future direction of our newsletter. Please feel free to drop us a line at any time, we are always glad to hear from you.

Meanwhile, plan this weekend to take a long walk through the countryside, gather the family for a day of camping, or get in one more day of fishing or hunting. It's November in Connecticut...Enjoy yourself.

*Thomas J. Turick*



## DEP Citizens' Bulletin

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# Rare and Endangered Species: Prospects for Survival

*What is man without the beasts? If all the beasts were gone, man would die from great loneliness of spirit, for whatever happens to the beasts also happens to man. All things are connected. Whatever befalls the earth befalls the sons of the earth.*

*Chief Sealath of the Duwamish  
Indians (1855)*

Rare and endangered...the words conjure up visions of such great native animal species as the American Bald Eagle or the American Bison.

The fact is that here in Connecticut there are more than three hundred plant and animal species considered rare or endangered.

DEP's Natural Resources Center has just published an annotated listing of 275 species of higher plants, 7 fish, 8 reptiles, 5 amphibians, 50 birds, and 11 species of mammals, whose numbers and populations are judged to be rare in the state.

The publication is titled Rare and Endangered Species of Connecticut and Their Habitats - authored by Joseph J. Dowhan and Robert J. Craig. Copies of this report may be purchased or ordered from Sales and Publications, Connecticut State Library, Hartford, Connecticut 06115 for \$1.00 postpaid.

Of the species listed, approximately 20 percent are considered as endangered or threatened with extinction, or are declining seriously in numbers in Connecticut. Several of these species have already been afforded protected status under the provisions of the U.S. Endangered Species Act of 1973, but most are not protected under any federal or state law.

## Why are some species rare?

DEP Senior Biologist, Joseph Dowhan, explains there are many reasons. "Some are rare because of natural events and others because of man's activities." Among the natural events are climatic changes, flooding, fire and erosion.

But the most serious threat is man himself. It is estimated that in the United States, between 1600 and 1850, two species of mammals and three species of birds became extinct. In the last 125 years, with the coming of modern technology, about 57

species of birds, mammals and fish have become extinct in the United States--about one species every two years. The worldwide vertebrate extinction rate is estimated at one to two species annually. This increase of more than a thousand-fold over the natural extinction rate dramatically underscores the role of man as an agent of extinction and destruction. The record of human-caused extinctions is far less complete for the plants, but is probably of at least the same order of magnitude as animal species. According to recent statistics, if the trend continues, the United States alone will lose some 10 percent of its biota, both plant and animal, by the year 2000.

Dowhan feels that in Connecticut man is the greatest single threat to rare plant and animal species. "What we are really talking about is habitat destruction. Loss and degradation of habitat are undoubtedly the chief reasons for species decline."

Habitat is defined as the special physical and biotic environment in which a species is adapted to live and which contains all its survival needs. Habitat includes land and water area, topography, flora, fauna, climate, human activity, and the quality of soil, water, and air.

## Reduction of Habitat

1. Urban and suburban development has destroyed many natural habitats by burying them with concrete and asphalt. The drainage and filling of bogs, swamps, and marshes to make them suitable for housing developments and industrial parks have taken a drastic toll of many wetland plant and animal species.
2. Pollution of the air and water by industrial wastes and emissions from automobiles has brought about significant decreases in the environmental quality of many habitats in the past 50 years. Of particular importance has been the impact of pesticides and closely related chemicals which affect the reproduction capacity of higher order predatory animals such as hawks.
3. Fertilizers and animal waste from agricultural lands along rivers and streams cause degradation of clean water habitats.
4. Individual collecting and hunting have brought about the rarity of some species in Connecticut, an example being a number of orchid species.



5. Introduced disease and pest infestations have been responsible for the decline of certain native species. Perhaps the most notable of these is the Chestnut Blight accidentally introduced from eastern Asia in the early part of this century. Another notable introduced disease is the Dutch Elm Disease, which entered the country on sawtimber imported from Europe and now threatens the American Elm.

## Why do we preserve rare species?

Aesthetic value is a factor. Another major reason though is the possible future uses of such species for food and medicine.

Many believe that every species - plant or animal - is important to conserve because it may someday yield some as yet undiscovered product which may ultimately prove to be of enormous benefit to mankind. For example, the blood of the Horseshoe Crab may be a possible tool in diagnostic medicine and a molluscide has been extracted from Pokeweed which may be used on disease-carrying snails. Others believe that apart from their relative human value, rare species are worth preserving because of their inherent value - they are neither richer nor poorer biologically than man; they are as well adapted and as significant as our own human species.

"It would be regrettable if we were to preserve species solely on the basis of their economic or aesthetic importance to us," Biologist Dowhan said. "Where man's activity threatens, we should intervene to prevent species extinction."

## How do we preserve rare species?

The key to species preservation today is habitat preservation. In most instances the destruction of rare species by hunting or collecting is no longer a major factor in causing rarity. It is far less significant than the destruction of habitat and environmental pollution.

"Habitat types that are necessary to the survival of breeding populations of rare species should be identified," Dowhan said. "Then they should be preserved through management."

According to Dowhan, the term "management" is critical because merely "protecting" a habitat may not ensure its ability to preserve a rare species.

The first step in any preservation plan is to get the answers to some basic questions. 1) Why is the species rare? What is its historical record of abundance? 2) What are its life history, habitat and food? 3) What are the optimal conditions for ensuring the species' survival? 4) How does it disperse or propagate? What natural or man-made barriers prevent it from doing so?

# The Rare Species List:

## How and Why it was Developed for Connecticut

The compilation of Connecticut's rare species was begun in response to a growing public concern about the preservation of rare species and their habitats and the need for consideration of them in overall land-use planning.

The primary purpose of the lists is to aid federal, state and municipal governments, as well as private conservation groups, in identifying significant biologic habitats and communities of rare species which deserve special consideration in any land-use proposals which threaten to destroy or modify them. In addition they may be of use in the preparation of Environmental Impact Statements. It is hoped that publication of the lists will lead to the recognition of many other biologically unique and important habitat areas, now unrecognized and unconsidered by planners and conservation groups. Once identified, these areas may be used in a multitude of programs: outright protection and management by federal or state biologists, cooperative management by state and town agencies, nature-education areas and trails, or university research. Each site must be thoroughly evaluated for the greatest benefit to rare species, including their role in environmental education.

The candidates for the list were chosen by an orderly selection process. First, all published information on the flora and fauna of Connecticut, starting with the oldest published records and continuing up to the most recent, where thoroughly studied.

Next, all major herbarium and museum collections in Connecticut and the surrounding regions were examined for distributional information, verification of identification, and other data. At the same time, persons familiar with the flora and fauna of the state, scientists, university professors, knowledgeable amateurs, members and directors of various biological organizations, and government wildlife and forestry officials were contacted. These people provided additional data and numerous helpful suggestions. Finally, DEP personnel conducting field investigations over the past year have clarified the status of several species.

Cont. on page 7.



# ENVIRONMENTAL QUALITY UP-DATE

Since the last Bulletin deadline, several significant events have occurred in the fields of air and water quality including:

- 1) the announcement by Commissioner Joseph N. Gill of his intention to disapprove an air quality assessment for \$20 billion of transportation projects in those regions of New York and New Jersey within the jurisdiction of the Tri-State Regional Planning Commission;
- 2) the Commissioner's denial of a request by Connecticut electric utilities to burn high sulfur fuel;
- 3) the organization by DEP officials of a major regional conference on hydrocarbon control strategies;
- 4) the submission to the U.S. Environmental Protection Agency (EPA) of a list of \$152,298,655 worth of municipal water pollution abatement projects to be funded from October 1, 1976 to September 30, 1977.

## Tri-State Transportation Plan Air Quality Assessment

On September 16, Commissioner Gill indicated his intention to vote "no" on the adequacy of an air quality assessment of the Tri-State Commission's proposed 20-year plan for \$20 billion in transportation projects in the three-state New York City metropolitan area. Virtually all of the projects were in New York and New Jersey. Approval of the assessment is required for the projects to go forward.

Commissioner Gill said he could not accept the assessment as prepared and submitted by the Tri-State staff because technical problems with the methods used in estimating hydrocarbon and carbon monoxide emissions from motor vehicles made the assessment inconsistent with Connecticut's Transportation Control Plan procedures.

The Commissioner said, "As a representative of Tri-State, I am extremely concerned with air pollution affecting Connecticut's citizens generated in New York and New Jersey. The severity of New York's and New Jersey's contribution to measured

oxidant levels in Connecticut has been clearly demonstrated. My concern about the Tri-State Air Quality Consistency Assessment therefore is based on my desire to protect the health and welfare of our citizens, over half of which are in the portion of Connecticut covered by Tri-State.

"Connecticut recently submitted its Transportation Control Plan to the U.S. Environmental Protection Agency outlining the manner in which Connecticut will decrease air pollution caused in large part by automotive use. It is my position that each state should do its fair share in reducing hydrocarbon emissions affecting the oxidant formation in its own as well as in neighboring states. Only in this manner can oxidant levels in the northeastern United States be reduced."

One of the Commissioner's specific objections to the Assessment was that "while the Tri-State assessment acknowledges that the emission factors used may underestimate the air pollution problem, the method of analysis is also inconsistent with the Connecticut Transportation Control Plan. Both the emission factors and the review methods used are of critical concern to me because the Connecticut Department of Environmental Protection has the responsibility of reviewing and passing judgment on all Metropolitan Planning Organizations Plans in Connecticut. Since Tri-State is one of six Connecticut Metropolitan Planning Organizations, any approval of factors or review methods used by Tri-State could determine factors and methods for the remaining five Connecticut Metropolitan Planning Organizations. It is therefore important that any Tri-State assessment be consistent with the factors and methods used by the Connecticut Department of Environmental Protection.

"I recognize that any changes in the process of planning or plan review requires major effort; however, I believe the magnitude of the oxidant air pollution problem suffered by the citizens of Connecticut warrants such a major effort. I feel very strongly that the air pollution problem must be addressed in a timely manner, integral with the planning process, and not merely analyzed after the transportation planning is completed."

As a result of the Commissioner's objections the resolution to approve the assessment was tabled until the November 18 meeting.

# Denial of Electric Utilities' Request for Variance

On September 28, Commissioner Gill adopted hearing examiner John J. Curry's recommended decision to deny the request by three electric utilities for a variance from the state's regulations limiting the sulfur content of fuels.

The utilities, Connecticut Light and Power Company, Hartford Electric Light and United Illuminating, had requested permission to burn fuels varying in sulfur content from .8 to 2.2 percent. DEP regulations limit the sulfur content to .5 percent by weight. The utilities claimed that burning the higher sulfur fuels would save the utilities and their industrial, commercial and residential customers approximately \$21 million a year in operating costs, with the average residential customer saving approximately five dollars per year.

After seven days of hearings, hearing examiner Curry concluded that granting the request would "interfere with the maintenance of relevant air quality standards and could possibly interfere with the health of some individuals or with the reasonable use of property without equal or greater benefits."

Section 19-508-13(e) of the Regulations of Connecticut State Agencies forbids the granting of a variance that will prevent or interfere with the attainment or maintenance of any relevant ambient air quality standard. The hearing examiner found that the proposed increases might violate primary standards for sulfur oxides. Primary standards are established for air pollutants by the federal government to protect public health. He also found that the proposed sulfur content increases would increase the existing number of violations of secondary standards for sulfur oxides. Secondary standards are set by the federal government to protect property and vegetation.

## 19-State Hydrocarbon Conference

A major conference on hydrocarbons was held on September 28th in New York to discuss methods to improve hydrocarbon emission control programs and to encourage uniform application of hydrocarbon control strategies throughout the 19 states in the northeast.

According to Deputy Commissioner Melvin Schneidmeyer, "hydrocarbons are a major element in the formation of photochemical oxidants (automotive smog), and as such, represent one of the most critical and difficult-to-solve problems faced by air pollution control agencies."

The major sources of hydrocarbons in the urban-industrial northeast are stationary sources, such as refineries, petroleum product storage tanks, and industrial processes, and mobile sources such as cars, trucks and planes.

"The hydrocarbon issue is of extreme importance to us here in Connecticut, because hydrocarbons react with other pollutants in the presence of sunlight to form automotive smog. Smog is the number one air pollution problem in our state, and we are determined to solve it. That will require cooperation from other states because much of the oxidant pollution we experience here is created by hydrocarbon emissions downwind of us in New York and New Jersey. Because of this 'transport' phenomenon, regional solutions will be necessary," Schneidmeyer said.

The conference itself focused primarily on achieving better control of stationary sources, but consideration was also given to proposals for the uniform application of automotive inspection and maintenance programs, Schneidmeyer said. In fact, the representatives of the 19 states voted overwhelmingly in favor of a resolution supporting motor vehicle inspection and maintenance programs, Schneidmeyer said. Legislation to establish such a program in Connecticut was submitted to the General Assembly last year but was defeated. Deputy Commissioner Schneidmeyer said it would be re-submitted this year as a top DEP legislative priority.

Henry Beal, Director of DEP's Air Compliance Unit, served as chairman of the steering committee responsible for setting up the meeting.

## \$152,298,655 in Water Pollution Abatement Projects

On September 29, Commissioner Gill submitted the Department's annual priority list of municipal water pollution control projects to EPA. The list represents the projects which DEP feels should be funded between October 1, 1976 and November 1, 1977.



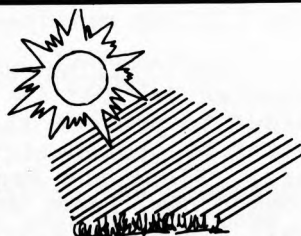
This "Primary List" included funds for planning, engineering and construction of sewage treatment plants and interceptor sewers. A contingency list was also submitted so that no funds will be lost if any of the projects on the "Primary List" fall behind schedule. In addition an "Extended List" of \$653,928,000 of other projects was submitted for funding in the future as money becomes available.

Unique this year was the submission of a contingency list, drawn from the "Extended List," which would be funded if any of the projects on the "Primary List" fall behind schedule. Commissioner Gill explained "the contingency list is necessary this year because the \$52 million New Haven sewage treatment plant, our top priority, is currently the subject of a lawsuit and there is no guarantee that we will be able to obligate the funds by the September 30, 1977 deadline.

"We are determined to continue our perfect record of never lapsing any federal water pollution clean-up dollars and therefore, we have drawn up a list of projects which should be funded if it becomes obvious that New Haven cannot be," Gill said.

## Solar Energy

### Meeting Announced



The Connecticut Solar Energy Association has scheduled a meeting for 3:00 p.m., Sunday, November 21 in the auditorium of the College of Agriculture, University of Connecticut, Storrs. The meeting will feature a lecture by James Minges, President of Minges Associates, Farmington. His subject will be "Energy Balanced Residential Design." The meeting is open to the public. There is no admission charge.

Further information on the association or the November program may be obtained from Dr. K. Raman, Physics Department, University of Connecticut - 486-4921 or 649-9122 or from John Ochwat - 264-0848. Annual membership dues in the Connecticut Solar Energy Association is \$10.00.

\* \* \*

#### From the Energy Research and Development Administration, Washington, D.C.:

The September 17, 1976 cost of solar collector panels is 26% lower than six months earlier. In March, one square foot of solar cells would have cost about \$210, or \$21 a watt. The cost is now \$155, or \$15.50 per watt.

There is still a long way to go, ERDA reports, to reach the 1986 goal of \$1.50 per watt.

Projects are ranked on the "Primary List" based on the anticipated overall improvement in water quality that would result from their construction, he said.

"Our goal is to apply our available dollars to cleaning up Connecticut's waters. Curing existing pollution problems is our top priority," he said.

## Upcoming Hearings

In the next four to six weeks, the Department will be holding public hearings on water quality standards, noise regulations, septic regulations, and civil penalties regulations for coastal filling.

See the new Public Hearing Notice Supplement for the times and places of hearings scheduled as of press time. For a brief discussion of the standards and regulations listed above, see the individual stories on the pages that follow.

Cont. on pages 8 & 9.

## Species (cont.)

Co-author Joseph Dowhan explains, "By no means is this report to be considered a 'final' product; it must certainly be viewed as only the beginning of what we hope will be a continuing appraisal of the biological resources of the state. We anticipate and will welcome comments on those species and habitats proposed for protection and/or management. Suggested additions, reports of omissions, information on the habitats and distribution of species, nesting records, and historical accounts are also welcome. It is hoped that these lists can be revised and updated on a regular and frequent basis."

Information should be forwarded to Joseph Dowhan or Robert Craig in care of the Connecticut State Geological and Natural History Survey, Natural Resources Center, Connecticut Department of Environmental Protection, State Office Building, Room 561, 165 Capitol Avenue, Hartford, Connecticut 06115.

Did you know...that some rare species are valuable indicators of environmental quality, that their presence or absence points out various sorts of pollution of air, water, and soil? For example lichens are extremely sensitive to high sulfur dioxide levels in the air; their extinction or survival can be used as an indicator of ambient levels of SO<sub>2</sub>.



# Water Quality Standards

DEP's Water Compliance Unit is currently updating and revising the State's Water Quality Standards. This work is carried out every three years under Section 25-54(e) of the Connecticut General Statutes.

The proposed State's Water Quality Standards are comprised of three elements:

1. Water Quality criteria and standards and Statement of General Water Policy
2. Stream classifications for various watercourses in the state
3. A graphic representation of the stream classifications

The stream classification section is being updated to reflect improvements in stream water quality. Present and anticipated conditions of these waters are listed, as is an adopted standard for each waterway.

The General Policy section of the proposed Water Quality Standards has been expanded to include a provision for the establishment of "no-discharge zones" for marine sanitation devices on boats used in Long Island Sound or inland waters of the State. The proposed Standards require an absolute no-discharge standard for boats used on Connecticut lakes. In addition, they map specific no-discharge zones for certain

sensitive coastal waters such as shell-fish beds, intensive water-contact recreational areas, and heavily utilized mooring and marina areas where greater control of boat effluent is required for public health protection. It should be noted that these standards do not require installation of a marine sanitation device on boats. Boat owners have three options; crafts may contain:

1. no sanitation facility,
2. holding-tanks, or
3. treated-discharge type devices.

Under the proposed Water Quality Standards, use of treated discharge marine sanitation devices is limited to the open-waters of Long Island Sound.

There will be a public hearing on the Water Quality Standards revisions on December 15, 1976 at 8:00 p.m. in the Judiciary Room at the State Capitol, Hartford. For more information and a copy of the proposed standards contact Sidat Balgobin, DEP, Water Compliance Unit, State Office Building, Hartford, Connecticut 06115 or telephone (203) 566-2588.

# Civil Penalties Regulations

Regulations to enable the Commissioner of Environmental Protection to assess civil penalties against violators of the state's coastal filling statutes (Section 25-7b-e) will go to public hearing at the Hall of Records in New Haven at 7:30 p.m. on December 14th.

The regulations now proposed are revisions to regulations which originally went to public hearing last fall but were disapproved by the Attorney General. As proposed in the fall of 1975, the regulations applied only to commercial fillers who violated the filling statutes, not to private citizens who violated these laws. The Attorney General, however, ruled that the civil penalties statute did not authorize the Commissioner to apply the regulations to one class of violators and exclude another.

The current proposed civil penalties regulations have been revised to meet this objection and now cover all those who place fill in tidal areas and navigable waters without a permit, or who violate the terms of a permit or order of the Department under the filling statutes.

The filling statutes themselves were enacted in 1963 by the General Assembly in order to protect lands seaward of mean high water by prohibiting filling without a permit. Since the beginning of Connecticut's Common Law, lands seaward of mean high water have always been held in trust by the state for the common use of its citizens. However, until now, DEP has not been able to protect these coastal lands effectively. Research conducted during the development of the civil penalties regulations indicated that 49 per cent of the state's coastal fills are illegal. The proposed civil assessment regulations are designed to give DEP the tools it needs to deal with this problem of non-compliance.

The Department is proposing three sets of interdependent regulations which will remove the economic incentives that currently discourage compliance with the law. §411 will offset the savings a filler can obtain by ignoring the requirement that he submit a permit application containing technical information before beginning work. §412 would charge an illegal filler for all the benefits, including the rental value of the land, which he derived from the illegal fill from the time of placement until the time of compliance. However, assessments will not include benefits derived more than two years prior to detection. §413 would charge an illegal filler for the same economic benefits as §412 in the case where a filler failed to comply with the terms of an order to remove or modify an illegal fill. The regulations, in effect, tax away the illegal saving made by those who violate the state filling laws.

# Public Hearing Notice Supplement

## Air Compliance

November 29, 1976 - 10:00 a.m.  
State Office Building, Room 161  
165 Capitol Ave.  
Hartford, Conn.

Purpose: Reconvening of hearing to  
appeal Civil Assessment Notice  
No. 3-0001

Petitioner: B. W. Beard Co.  
Derby, Conn.

## Noise Control

December 14, 1976 - 7:30 p.m.  
Mohegan Community College  
Mahan Drive  
Norwich, Conn.

December 15, 1976 - 7:30 p.m.  
Council Chamber  
Stratford Town Hall  
Main Street - Route 113  
Stratford, Conn.

December 16, 1976 - 7:30 p.m.  
Platt High School Auditorium  
220 Coe Ave.  
Meriden, Conn.

Purpose: For comment on the proposed  
regulations for the control of noise

Petitioner: DEP

## Water Compliance

November 23, 1976 - 10:00 a.m.  
Room 1  
122 Washington St.  
Hartford, Conn.

Purpose: To request a permit to dis-  
charge 1,000 gallons per day of  
treated waste water to the ground  
waters of the Hockanum River watershed  
in South Windsor

Petitioner: Gerber Scientific Instru-  
ment Co.

November 23, 1976 - 10:00 a.m.  
Room 1  
122 Washington St.  
Hartford, Conn.

Purpose: To request a permit to  
discharge an average flow of 2,050  
gallons per day of storm water  
into the Naugatuck River in the  
Town of Waterbury

Petitioner: Waterbury Truck Stop  
Waterbury, Conn.

December 13, 1976 - 1:00 p.m.-7:00 p.m.  
Appropriations Room  
State Capitol Building  
Hartford, Conn.

Purpose: For comment on the proposed  
septic regulations

Petitioner: DEP

## Water Resources

November 23, 1976 - 7:00 p.m.  
Bedford Junior High School  
170 Riverside Ave.  
Westport, Conn.

Purpose: To request a permit to con-  
struct a portion of roadway over tidal  
wetlands in the Town of Westport

Petitioner: Estate of J. V. Kenneth  
Bradley, Westport, Conn.

December 14, 1976 - 7:00 p.m.  
Stonington High School  
Stonington, Conn.

Purpose: To request a permit to  
establish a marina, floating docks and  
finger floats in the Mystic River,  
Town of Stonington

Petitioner: Forest Grove Association  
Stonington, Conn.

December 14, 1976 - 7:30 p.m.  
Hearing Room  
Hall of Records  
200 Orange Street  
New Haven, Conn.

Purpose: For comment on the pro-  
posed civil penalty regulations  
regarding coastal filling

Petitioner: DEP

December 21, 1976 - 10:00 a.m.  
State Office Building  
Room 221  
165 Capitol Avenue  
Hartford, Conn.

Purpose: To request a permit to  
construct and maintain piers,  
floats and bulkheads and to dredge  
in Clinton Harbor, Clinton, Conn.

Petitioner: Cedar Island Marina,  
Joseph Shapiro, President  
Clinton, Conn.



# Septic Regulations

DEP has recently drafted proposed subsurface sewage disposal regulations. These regulations categorize discharges to the waters of the state according to the volume of discharge per day through the subsurface disposal system and based on site conditions such as soil percolation rate, depth to the groundwater table, depth to bedrock within the leaching system area, and slope of the site. They also establish minimum requirements for disposal systems in each of four categories, and establish a procedure by which the Commissioner may delegate his authority to issue permits, approvals, or orders with respect to the categories of discharge.

Since 1973 DEP has worked to establish regulations which would delegate authority to issue permits and approvals. It was, and still is the intent of the Department to delegate its powers in this field, according to Bob Moore, Assistant Director of DEP's Water Compliance Unit. Delegation of permit authority, he said, would increase the ability of DEP to implement existing statutory requirements. First attempts at adoption of regulations necessary to delegation were met with opposition. After five hearings, substantial changes were made and the regulations were submitted to the Regulation Review Committee. The regulations were rejected without prejudice on the grounds that the extensive changes which were made were not presented to the public.

After the rejection, another public hearing was held in March 1975. In the year and a half that has passed since the hearing the Department staff has worked to evaluate the effects of the proposed delegation program and the technical aspects of the minimum requirements or regulations for septic system design and discharge. This has been accomplished through review of the ongoing permit process, on-site testing and training, cooperation with SCS on soils testing, and continuing work with professors at the University of Connecticut on regulation content and application.

Moore said the Department staff has revised the proposed regulations to create a more workable permit system utilizing the most up-to-date and accurate information for septic system design. These regulations mandate the delegation of permit authority for household and small commercial subsurface disposal systems to municipal Directors of Health and the State Health Department. The only aspects of the subsurface sewage disposal program to be retained by DEP are the program overview, the establishing of minimum requirements and standards, and the providing of technical assistance.

By the use of the proposed regulations, a broader program of delegation of powers can be accomplished than is possible now,

Moore said. Delegation through regulation will allow the full authority of DEP to stand behind all approvals, permits, appeals and punitive actions (injunction, forfeiture, civil penalties, etc.) It will also assure a consistent and continuing clean water program state-wide.

Moore explained, "We have used this past year to critically evaluate the proposed regulations with regard to practicability of use and enforcement and conformance to present available research in the field." He added, "I feel that the changes we are proposing will be a most effective tool to assure proper design and installation of subsurface sewage disposal systems."

A public hearing on the proposed regulations is scheduled for Monday, December 13, 1976 at 1:00 p.m. and 7:00 p.m. in the Appropriations Room, State Capitol, Hartford. For more information and a copy of the proposed regulations contact Robert Moore, DEP, 122 Washington Street, Hartford, Connecticut 06115, telephone (203) 566-5760.

## Noise Regulations

State noise regulations, in the works for almost two years, will go to public hearings on December 14, 15, and 16 in Norwich, Stratford and Meriden respectively. (See the Public Hearing Notice Supplement for times and places.)

The regulations were initially drafted by the DEP Office of Noise Control and were substantially revised based on the recommendations of a Citizens' Advisory Committee appointed by Commissioner Joseph N. Gill in July of 1975. The Committee was composed of representatives of environmental groups, business, industry and the general public. The members were: Mrs. Betty Brown, Glastonbury; Mrs. Deborah Eddy, Newington; Mr. LaVerne Eklund, Vernon; Mrs. Alice McAllister, New Milford (resigned 2/23/76); Mr. Robert McKeagney, Cheshire; Mr. William Patton, Portland; and Mr. Roger Seamans, Simsbury. DEP Deputy Commissioner Melvin Schneidermeyer chaired the meetings of the Committee in an ex-officio non-voting capacity.

The proposed regulations set allowable levels of noise in dBA (decibels on the A weighting network) for three different land use zones. The three zones are Residential, designated as the Class A Noise Zone; Commercial, designated as the Class B Noise Zone; and Industrial, designated as the Class C Noise Zone. The regulations provide a matrix which gives the allowable dBA levels for noise emitted from each type of zone to each type of zone. For example, where a noise emitter is in an industrial, or Class C Noise Zone, and the receptor is also in a Class C Noise Zone, the maximum

Cont. on page 14.



## Department of Planning and Energy Policy:

# P.E.P. TALK

by Tom Richard Strumolo

*Governor Declares November "Energy Awareness Month" - Home Energy Savers' Program (HESP) Takes Aim at Poorly Winterized Homes.*

Connecticut is today and will be for some time dependent on other states and other nations for the fuels that heat homes, power automobiles, and keep industry and commerce moving. Three years have come and gone since the inconveniences and dramatic price increases triggered by the Arab oil embargo, and yet our national dependence on Middle East petroleum has increased substantially. There is a very real danger that we have been lulled into a sound energy sleep by stabilized oil prices, a lack of national energy direction, and a seemingly abundant supply of gasoline.

The plain truth of it is that despite promises of great supplies from Alaska and smoother international relations with Arab nations, Connecticut is far worse off today than it was just three years ago. It may seem like a slap in the face for concerned citizens to see an upsurge in big car sales, to see a flagrant disregard for the 55-mph speed limit (and a corresponding rise in highway deaths), and to hear an editorial on a major state television station about the lack of energy-saving programs in the state. Instead of pointing to the abundance of opportunities Connecticut citizens have been presented by various state agencies in the areas of carpooling, mass transportation, and outreaches to low-income families, and instead of drawing further attention to the success of the program which reduced the State of Connecticut's energy costs by more than one million dollars in the first six months of 1976, DPEP hopes to elicit far wider-reaching participation in the new Home Energy Savers Program.

HESP is funded by the Federal Energy Administration, and is aimed at reducing the number of existing single-family homes in the state that have inadequate insulation or are otherwise allowing precious amounts of

fossil fuels to be wasted in the heating and cooling processes. It is estimated that 20% of Connecticut's energy is used for home heating and that four out of every five single-family homes are losing substantial amounts of energy due to less than ideal winterization.

The Department of Planning and Energy Policy recently initiated HESP in a three-fold manner to acquaint as many Connecticut homeowners as possible with the energy and economic good sense of home insulation:

- 1) A major media outreach effort currently underway presents the scope of the HESP program on television, radio and in the newspaper.
- 2) A toll free number has been placed in operation on November 1 so that details of the program will be at interested parties' fingertips.
- 3) HESP instructional courses designed to teach the homeowner the step-by-step process of winterizing his home properly, are now being organized. DPEP will assist interested civic groups, towns, schools, and industries in conducting these courses in their own locale. Information on participation in these courses is available through the hotline.

In the area of energy planning, Connecticut has only one natural resource, but it is not a fossil fuel. It is a citizenry that can recognize imminent discomfort far greater than that suffered three years ago. We must reduce our fuel consumption to reduce our dependency on petroleum. Since using energy as carefully as possible saves us large sums of money - sums that increase every time the price of gasoline or heating oil increases - it does not seem to be too bitter a pill to swallow.

Questions about the HESP program which will continue through March 1977 or about winterizing your own home will be answered by dialing toll-free 1-800-842-1648.

# Nature Notes

By Penni Sharp

## Your November Environment

Are you a keen observer? Are you aware of some of these things in the world around you? November is: Flocks of geese heading south. . . the bright orange and yellow of bittersweet. . . the stiffening wind. . . nuthatches searching tree bark. . . the planet Jupiter bright in the sky. . . a chipmunk preparing for winter. . . frogs hibernating in the mud beneath ponds. . . snow flurries. . . ice crystals at the water's edge. . . some lingering robins. . .

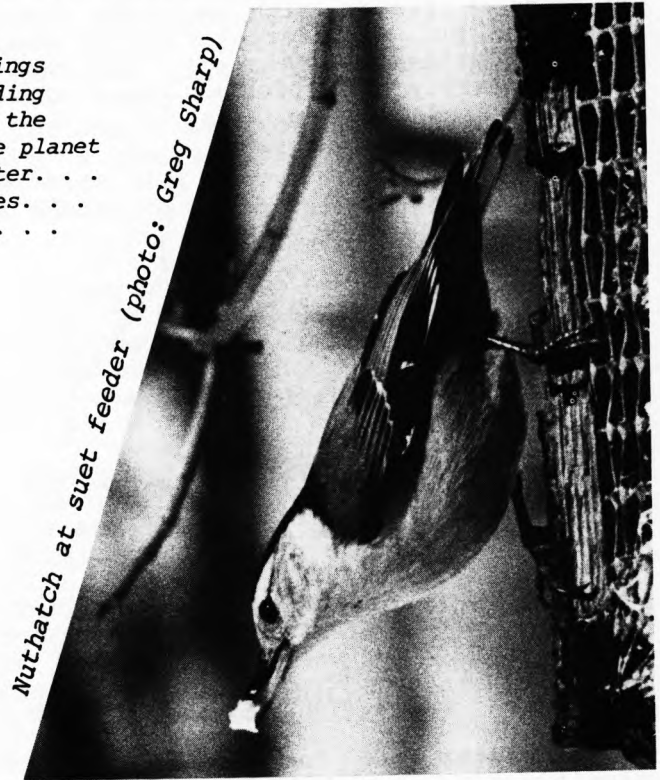
What else is November?

### Helping Birds Through Winter

Birds are among the most fascinating creatures with whom man shares the earth. Their ability to fly sets them apart from most other warm-blooded animals. This, coupled with the nearly infinite variety among bird species makes them an interesting and pleasurable subject for study. Let us take a closer look at birds:

A bird is a vertebrate (an animal with a backbone). All birds lay eggs, and have feathers and wings, although some birds, the ostrich and emu for example, do not fly. Birds maintain a constant body temperature and are therefore warm-blooded. While a man's average body temperature is 98.6°F., that of the average bird is 110°F. A bird's heart beats incredibly fast, and a bird breathes at the rate of approximately 200 to 300 times a minute. (Do you know how many times you breathe per minute?) A bird consumes much energy performing its life functions and ounce for ounce, birds probably eat greater amounts of food more frequently than any other animal.

Because of the different kinds of things that birds like to eat, they are of great value to man. Bird "meals" include quantities of weed seeds, harmful insects and rodents. Birds do wonders keeping down pest populations. A Yellow-billed Cuckoo has been observed dining on 250 tent caterpillars at one sitting; Purple Martins are voracious consumers of mosquitoes; Red-winged Blackbirds feed largely on ragweed, smartweed and other weed seeds; Chickadees, who are seldom still, are busy eating plant lice, weevils, and other insects. Birds are key figures in distributing plants as seeds and berries are carried and dropped or emitted as waste. Some birds, (in Connecticut they are crows, gulls, and turkey vultures) are scavengers and serve as nature's clean-up crew by feeding on road kills and other dead animal matter.



Nuthatch at suet feeder (photo: Greg Sharp)

Not to be overlooked are the many pleasures that birds provide. Imagine a world without birdsong! Think how the Cardinal brightens the winter landscape. The acrobatics of a Nuthatch probing tree bark for insects is an entertaining sight. Through song, color, and behavior, birds bring us unending enjoyment. In short, the role that birds play in the chain of events that supports all life is a vital one.

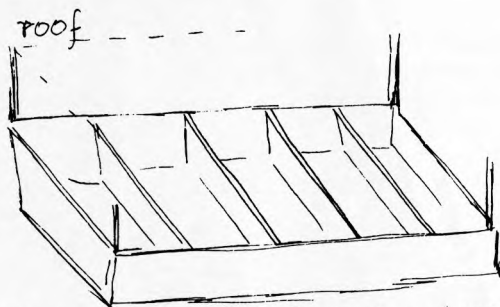
Birds do much for us; we can do something for them. Winter can be a difficult time for birds, and we can assist them greatly in their search for food by setting up feeding stations. It is vitally important however, to bear in mind that if you begin a feeding program, you must continue it through the winter. The feeding of birds tends to concentrate the natural population beyond the limit that the wild food supply can support; therefore, you should provide food until the insects and early fruits of spring appear. The late winter and early spring can be a time of particular stress for birds.

Feeders need not be elaborate. Those constructed for dispensing seed should be covered or made so as to keep the seed from getting wet. On the next page are some recipes for winter bird food and some feeders that are simple to make.



## Seed Mixtures

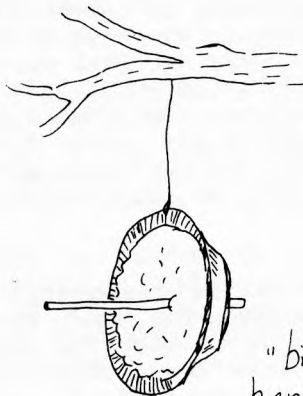
If you have access to a supply house from which you can purchase different types of seeds, you might try the following mix: Sunflower seed 35%, Hemp 20%, Millet 35%, Buckwheat 5%, and Fine cracked corn 5%. You can conduct an interesting experiment by building a feeder with separate compartments and put a different type of seed in each compartment. This way, you can test the popularity of different types of seeds with the birds of your area.



feeder with separate compartments  
for testing popularity of different  
types of seeds.

## Suets

A winter pie for the birds. Save aluminum tins from pot pies. Grind up beef suet and melt in the top of a double boiler. Allow it to cool, then reheat and add bread-crumbs, oatmeal, birdseed, cornmeal, and peanut butter. You may vary the proportions; I use a handful of each of the dry ingredients and two tablespoons of peanut butter per cup of suet. (Never use a pure peanut butter recipe.) While still in liquid form, pour suet mixture into pie tin. Allow to harden. Run a dowel rod through the center of the pie for a perch. Using a wire, hang the pie in a tree. This basic formula for suet can have many variations. Some of the things you can add are: raisins, peanut hearts, cut up cranberries, Graham crackers, grape nuts, honey, and dried fruit.



"bird pie"  
hanging from tree.

## Bird Study

Once your feeding stations are in place, you will find a variety of feathered visitors. Make a chart keeping a record of the birds that you see. For this activity, a field guide to the birds will be useful.

Here are some things to look for that will help in identifying birds:

1. Size of bird -- as compared to sparrow, robin, or pigeon
2. The main color of the bird
3. Any distinctive markings (streaking on breast, eye line, wing bars, etc.)
4. Shape of bill -- is it long and thin for probing, short and heavy for cracking seeds, chisel-like for cutting wood?
5. Shape of tail
6. Legs and Feet -- are they long or short, large or small?
7. Behavior -- does the bird hop, walk, or run? What kind of food is the bird looking for? Is the bird alone, with one other, with a flock?

Other questions may arise as you watch your feeder. Which birds are first at the feeder in the morning, which are the last to feed? In your particular area, which species seems the most abundant?

If you find feathers under your feeder, collect them for study. You will most likely find two types of feathers, the vane or contour feathers and the down feathers. A bird's feather is a more complex structure than it appears at first glance. Examine a contour feather carefully with a hand lens. You may be able to detect the barbicels, or tiny hooks that hold the edges of a feather together. When you observe a bird drawing a feather through its bill, it is locking the little hooks together again, restoring the structure of the web, or side of the feather. Down feathers are soft and fluffy and function to conserve heat for the bird. Man uses down feathers to make ski parkas, sleeping bags and pillows.



Vane or  
contour  
feather



down feather



# Major Beach Expansion Planned for Rocky Neck State Park

Governor Ella Grasso recently announced a major beach expansion program at Rocky Neck State Park and declared that she would seek approval from the 1977 Connecticut General Assembly for funds to assure the start of construction as early next year as possible.

The State Bond Commission, at its October meeting, approved the allocation of \$145,188 for the planning of a \$1.57 million expansion program for Rocky Neck in East Lyme. The park is one of several the Governor has targeted for expansion in a program to increase the capacity of state shoreline beaches.

"The improvements for which planning will be undertaken will increase the capacity of the park by 50 percent," Governor Grasso said. "This will enable some 300,000 additional citizens to enjoy the beach each season."

The expansion includes a major beach enlargement across the 2,000-foot length of the beach, an environmental impact statement with a review of the Bride Brook stabilization project, a planned 1,320-car parking lot and the addition of sanitary facilities to meet the expected crowd increases.

According to Joseph N. Gill, Commissioner of Environmental Protection, planning funds will be drawn from existing accounts and the legislature will be asked

in January to allocate previously approved funds for construction of the Rocky Neck project. The Governor noted that by tapping these existing funding sources, the state will not have to seek new bonded dollars.

The Department of Environmental Protection is also applying for federal assistance which will reduce the amount of state funds needed to build the project by 50 percent.

The expansion project is an outgrowth of a tour of Rocky Neck State Park made by Governor Grasso in August, 1975. At that time, the Governor announced that 100 acres of land was being transferred from the Niantic State Farm for Women to Rocky Neck.

"The people of Connecticut deserve as great an opportunity as possible to enjoy our state recreational facilities," Mrs. Grasso said during that tour.

Following the Bond Commission meeting, Governor Grasso said, "It is most gratifying to see that our objective of expanding facilities and increasing capacity at state parks is being carried out."

"Saltwater swimming is one of the great pleasures offered by Connecticut, and the increase in facilities and capacity will allow greater use of beach resources and improve our recreational program," Mrs. Grasso said.



Beach in summer at Rocky Neck State Park (photo: Connecticut Department of Commerce)

# Citizens' Advisory Council

## Celebrates First Birthday

The Citizens' Advisory Council (CAC) to the Department of Environmental Protection, and more specifically to the Division of Conservation and Preservation within DEP, is one year old this month.

The CAC, comprised of twenty-five members representing state-wide fishing, hunting, trapping and other outdoor recreation interest groups, was formed a year ago for a threefold purpose:

1. To help in improving the communications between the outdoor user and DEP's Conservation and Preservation Division (C&P)
2. To delineate problems that affect the user of outdoor recreation areas.
3. To assist the Conservation and Preservation Division in solving problems that arise in conjunction with Connecticut's land and water resources.

DEP Commissioner Joseph Gill praised the Council's efforts to date. "It was my hope to develop a rapport and communication system with the many sportsmen and other outdoor enthusiasts in the state," he said. "During the past year, the Citizens' Advisory Council has functioned as a vital link in such a system."

Chairman of the Council, Patrick Carroll of Fairfield, explains, "Our first year was a productive one. We spent much time familiarizing the members with the groups each represent and with Conservation and Preservation personnel and their tasks. We are chiefly concerned with environmental legislation, Department regulations, budget matters, and other policies which affect sportsmen and recreationists in Connecticut."

CAC's standing committees, Nominating, Publicity, and Legislative, have advisory responsibilities to the Council at large. As the Council moves into its second year, it will become even more action-oriented, according to Carroll. "I think this second year will be beneficial to all concerned. We know one another now, everyone is speaking his or her mind. I think we have established a good relationship with Deputy Commissioner Ted Bampton and his staff," he said. "We intend this year to get even closer to the sportsmen and other organized groups throughout the state to let them know the Council will serve as a direct line of communication with DEP," he added.

Information on the CAC's scope of work or its membership may be obtained by contacting the Council's Secretary, Pete Peterson, 43 Thor Place, Fairfield, Connecticut 06430, telephone (203) 255-3119.

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### Noise (cont.)

noise level is 70 dBA. However, where the emitter is in a Class C Noise Zone and the receptor is in a residential or Class A Noise Zone, the maximum daytime level is 61 dBA and the maximum nighttime level is 51 dBA. The Class A Noise Zone is the only zone with separate levels for day and night to take into account the fact that people generally sleep in residential areas at night and are more susceptible to noise intrusion at that time.

Most forms of noise are covered by the regulations. However there are several specific exclusions, including emergency equipment sound signals, safety and protective alarms, and farming equipment. In addition the regulations provide for exemptions, such as noise from conditions over which the apparent violator has no control,

noise generated by lawn care equipment in Class A property from 7:00 a.m. to 9:00 p.m., and noise generated by snow removal equipment.

The regulations do not include noise from motor vehicles, because vehicle noise is covered by a separate section of the Connecticut General Statutes administered by the Department of Motor Vehicles. (Section 14-80a-1 through 14-80a-18.) Nor do the regulations include commercial aircraft noise which is pre-empted from state and local control by the Federal Aviation Administration.

No source registration or permit requirement provision is included in the regulations. Administration of the regulations is expected to be based on complaints.



# Permits Issued Sept.- Oct., 1976

## Air Compliance

October 25  
Fairfield Canine Control Center  
Permit to operate pathological incinerator

October 25  
Owens-Illinois, Inc.  
Permit to construct three silos for polyester and polyethylene storage in Milford

## Water Compliance

September 13  
Barbara Monterosso  
Permit to discharge treated septic tank effluent to groundwaters of Haddam

October 18  
Rust-Lick Co.  
Permit to discharge 3 times per month synthetic coolant tank washdown into sewer system in Danbury

October 18  
Apex Tool & Cutter Co., Inc.  
Permit to discharge 820 gal/day of non-contact cooling water to the Housatonic River at Shelton

October 21  
Universal Mfg. Co.  
Permit to discharge 50,000 gal/day of cooling water to Long Island Sound at Bridgeport

## Water Resources

September 22  
Lawrence Iannucci  
Permit to alter water course in residential subdivision in Trumbull

September 22  
Ralph Della Cava  
Permit to construct and maintain a pier and bulkhead in Branford

September 27  
Plaza Mobile Modular Homes, Inc.  
Permit to reconstruct Park Plaza sanitary system in East Windsor

September 27  
Robert Jacques  
Permit to construct farm bridge across Blackberry River in North Canaan

September 27  
Borough of Woodmont  
Permit to construct and maintain a storm drain

September 27  
Thimble Island Electric Cooperative, Inc.  
Permit to lay underwater cable in Long Island Sound near Stony Creek

September 28  
Elizabeth W. Parsons  
Permit to construct and maintain 3 floats on the Indian River, Clinton

September 28  
City of Bridgeport Development Agency  
Permit to construct a pile and timber pier, walk and bikeway, enlargement of existing dock and three floating docks in the Poquonnock River

September 29  
John Russo  
Permit to dredge the Connecticut River at Hartford

September 30  
Yankee Boat Yard  
Permit to dredge and maintain a portion of Connecticut River in Portland

September 30  
DEP Wildlife Unit  
Permit to construct a shallow pond for wildlife management purposes in Pomfret

September 30  
Innes Bros, Inc.  
Permit to remove gravel from Naugatuck River at Thomaston

October 1  
Town of Watertown Engineering Dept.  
Permit to stabilize stream bank along Steele Brook

October 1  
Millstone Point Assoc.  
Permit to dredge and maintain a portion of Long Island Sound in Waterford

October 1  
Carl N. Jensen  
Permit to construct and maintain a pier, ramp and float in Long Island Sound in Byram

October 1  
Northeast Utilities Co.  
Permit to fill abandoned hydro cavity in Ellington

October 1  
Cha-Wi-Ma, Inc.  
Permit to dredge material from Natchaug River for swimming area in Chaplin

October 1  
Anthony Zorzos  
Permit to fill wetlands near Mill River in Stamford to build a single family home

October 8  
Town of Glastonbury  
Renewal of permit to repair dam on tributary of Roaring Brook



## Permits Issued (cont.)

### Water Resources

October 8

Town of Southington

Permit to construct dam on tributary of Judd Brook

October 22

T. C. Johnson Yacht Sales

Permit to install and maintain batter and piling in Connecticut River at Deep River

October 22

American Telephone and Telegraph

Permit to construct and maintain gabion shore protection in and adjoining the Connecticut River at Haddam

October 22

Malcolm C. Browne

Permit to construct, install and maintain a bulkhead in the Thames River at Groton

October 26

Gilman Realty Co.

Permit to repair Brewster Pond Dam in Lebanon

October 26

Nicholas A. Genovese

Permit to construct 42 single family homes, access roadways, etc. in a wetland area of Stamford

October 27

General Dynamics, Electric Boat Div.

Permit to install and maintain 4 temporary anchors and buoys in the Thames River at Groton

October 27

Saybrook Marine Service, Inc.

Permit to construct and maintain a pile and timber bulkhead at Saybrook

October 27

City of Norwalk, Dept. of Public Works

Permit to install and maintain pipes to discharge storm water into Five Mile River

October 27

Chimney Point Marine, Inc.

Permit to maintain a stone bulkhead at Old Saybrook

October 27

Alan Berni Corp.

Permit to retain work done in Greenwich Harbor



A special thanks to Linda Mrowka who typed this month's Citizens' Bulletin.

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## DEP citizens' bulletin

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Department of Environmental Protection  
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Hartford, Connecticut 06115

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### Announcement

*The Connecticut Association of Conservation Commissions will hold a workshop to distribute and discuss the new Handbook for Connecticut Conservation Commissions on Saturday, December 11, 1976, 9:30 a.m. - 3:30 p.m. at the Holiday Inn in Meriden, Connecticut. For further information contact Mrs. Gay Ewing (443-8695) or DEP Information and Education (566-5524).*

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